IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 3RD NOVEMBER 2006 / 12TH KARTHIKA 1928

Bail Appl..No. 6008 of 2006()

CRIME NO.579/2006 OF KOTTIYAM POLICE STATION

PETITIONER/ACCUSED NO.4

MAHESH @ PRANAMI,S/O RAJAN,
AGED 22 YEARS, RESIDING AT RAJ BHAVAN,
UMAYANALLOOR PADANILAM, VADAKKUMKARA,
KIZHAKKECHERI, MAYYANADU VILLAGE, KOLLAM DIST.

BY ADV. SRI.G.P.SHINOD
SRI RAM MOHAN
SRI MANU V

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY ITS
PUBLIC PROSECUTOR AT HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. Nos.6008/2006, 6030/2006 and 6220/2006

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Dated this the 3rd day of November, 2006

O R D E R

The petitioners are accused in Crime No.579/2006 of Kottiyam Police Station, for the offence punishable under Sections 143, 147, 148, 450, 324, 326, 307, 427, 341, 506(ii) and 120B I.P.C., read with Section 149 of the Indian Penal Code and also under Section 27 of the Arms Act.

2. The fourth accused is the petitioner in B.A.No.6008/2006, accused Nos.5, 6 and 8 are the petitioners in B.A.No.6030/2006 and, the ninth accused is the applicant in B.A.No.6220/2006.

3. Except the ninth accused, who was arrested on 29/09/2006, the other accused were arrested on 25/09/2006. All of them are in judicial custody. Hence, these applications for bail.

4. I heard the arguments advanced by the learned Public Prosecutor and the learned counsel appearing for the

petitioners in these applications.

5. The learned Public Prosecutor submitted that the locality is still tense and if the petitioners were allowed to enter into the area, there may be retaliation by the opposite group. Therefore, prayed that the accused may be kept out of the limit of Kollam Sessions Division.

6. Considering the duration of judicial detention, the progress of the investigation, the recovery of the weapons and also the facts that are placed before me, I grant bail to the petitioners and release them from jail, imposing the following conditions:-

i. Each petitioner shall execute a bond for Rs.20,000/-, with two solvent sureties each for the like sum, to the satisfaction of the Judicial Magistrate of the First Class-II, Kollam.

ii. Immediately on release, the accused shall report before the Investigating Officer of Kottiyam Police Station, and from there, they shall proceed out of the Sessions

Division, Kollam. They shall not enter the said division, for a period of four months, except for appearing before the court below.

iii. The accused shall report the place of their residence and also the name of the police station, within which limit they would reside, for the above period of four months.

iv. The petitioners shall not interfere with the investigation, attempt to influence the witnesses or threaten them, or cause any hindrance to the conduct of the prosecution case, during the bail period.

v. After completion of the above period of four months, the accused may enter the Sessions Division, Kollam, and shall report before the Investigating Officer, who is investigating Crime No.579/2006 of Kottiyam Police Station, on the first working day of every month, between 10 a.m and 11 a.m, till the

completion of the trial and final disposal of the case, by the competent court of law.

vi. The petitioners shall not leave the State of Kerala, unless there is prior permission of the court below.

(J.M.JAMES)
Judge

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